

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA, GA.

2007 FEB 15 A 10:35

CLERK *B. McClintock*  
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BETTY J. BAILEY, )  
Plaintiff, )  
v. ) CV 105-193  
MICHAEL J. ASTRUE, Commissioner )  
of Social Security Administration,<sup>1</sup> )  
Defendant. )

**O R D E R**

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, pursuant to sentence four of 42 U.S.C. § 405(g), this case is **REMANDED** for further consideration by the Commissioner consistent with this opinion.

SO ORDERED this 14<sup>th</sup> day of February, 2007, at Augusta, Georgia.

*[Signature]*  
UNITED STATES DISTRICT JUDGE

<sup>1</sup>The Court takes judicial notice of the fact that on February 12, 2007, Michael J. Astrue was sworn in as the Commissioner of Social Security. Accordingly, pursuant to Fed. R. Civ. P. 25(d)(1), the Clerk is **DIRECTED** to substitute Michael J. Astrue as the Defendant in this case.